

OFFICIAL FILE

ILLINOIS COMMERCE COMMISSION

ORIGINAL

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

COMMONWEALTH EDISON COMPANY :
:
Petition for Special Permission to File and Put :
Into Effect on Less than 45 Days' Notice :
Rider CABA and Revisions to Rider CPP, :
Rider PPO-MVM, and Rate BES-NRB :

No. 07-0285

PETITION FOR SPECIAL PERMISSION

To the Illinois Commerce Commission:

Commonwealth Edison Company ("ComEd") hereby petitions the Illinois Commerce Commission (the "Commission" or "ICC"), pursuant to Section 9-201 of the Illinois Public Utilities Act, 220 ILCS 5/9-201, for permission to file, to be effective no later than May 31, 2007, less than 45 days' notice, as specified below: (1) Rider CABA; and (2) revisions to Rider CPP, Rider PPO-MVM, and Rate BES-NRB. ComEd respectfully requests that the Commission enter an Order granting this Petition on or before May 16, 2007, for the reasons stated in paragraph 14, below. In support of this verified Petition, ComEd states as follows:

Overview

1. ComEd seeks to implement an assistance plan to reduce the impact of the 2007 rate increases for the "common area" accounts of electric space heated apartment and condominium buildings with more than six residential dwelling units that previously were treated as residential customers but were reclassified as nonresidential customers in ComEd's rates effective January 2, 2007.

- In brief, under the plan, such customers with applicable demands of 400 kilowatts ("kW") or less (1) will receive rate reductions plus bill credits no later than the August 2007 monthly billing period that together are designed to bring their average annual bill increases from 2006 to 2007 down to the average annual bill increases from 2006 to 2007 of residential customers as a whole of about 24%; and (2) thereafter, these "common area" customers' rates gradually will rise over a period of years to the same level as other "common area" customers.

- The small number of such previously “residential” “common area” customers with demands over 400 kW will receive bill credits no later than the August 2007 monthly billing period to reduce their average annual bill increases for 2007 to about 24%.

New Tariff and Tariff Revisions That Are the Subject of This Petition

2. As discussed below, ComEd proposes and requests that the Commission, on or before May 16, 2007, grant ComEd permission to file, to be effective no later than May 31, 2007, on less than 45 days’ notice, a new rider: Rider CABA - Common Area Billing Adjustment, Original Sheet Nos. 616 and 617 (“Rider CABA”). A copy of proposed Rider CABA is attached hereto as Attachment A.

3. As also discussed below, ComEd also proposes and requests that the Commission on or before May 16, 2007, grant ComEd permission to file, to be effective no later than May 31, 2007, on less than 45 days’ notice, revisions to three existing tariffs: Rider CPP – Competitive Procurement Process, Ill. C. C. No. 4, 1st Revised Sheet No. 244, *et seq.* (“Rider CPP”); Rider PPO-MVM – Power Purchase Option (Market Value Methodology), Ill. C. C. No. 4, 1st Revised Sheet No. 295, *et seq.* (“Rider PPO-MVM”); and Rate BES-NRB – Basic Electric Service-Nonresidential (Blended), Ill. C. C. No. 4, 1st Revised Sheet No. 311, *et seq.* (“Rate BES-NRB”). More specifically, ComEd seeks leave to file Rider CPP, 1st Revised Sheet No. 294.29, canceling Original Sheet No. 294.29; Rider PPO-MVM, 2nd Revised Sheet No. 296, canceling 1st Revised Sheet No. 296; and Rate BES-NRB, 2nd Revised Sheet Nos. 312 and 313, canceling 1st Revised Sheet Nos. 312 and 313, respectively. Copies of the proposed revised tariff sheets are attached hereto as Attachment B. Copies of the proposed revised tariff sheets in “red-lined” format are attached hereto as Attachment C.

“Common Area” Customers With Demands Up to 400 kW

4. The first part of this Petition involves “common area” accounts of electric space heated apartment and condominium buildings with more than six residential dwelling units that have applicable electrical demands (as defined in Rider CPP and ComEd's General Terms and Conditions) of no more than 400 kW, and that were eligible to take service under a residential service rate in effect on January 1, 2007.¹

5. Rider CPP originally was established (approved, with modifications) by the Commission in the ComEd “procurement case” (ICC Docket No. 05-0159). Rider CPP defines ten retail Customer Supply Groups for purposes of the determination of supply charges that are designed to pass through ComEd’s actual costs of procuring supply for its retail customers, no more and no less. Six of the Customer Supply Groups are for retail customers taking “Blended” fixed price supply service, two for “Annual” fixed price supply service, and two for “Hourly” supply service, as explained in the rider. Rider CPP also defines eight customer groups and subgroups for purposes of the rate increase mitigation mechanism approved by the Commission in the procurement case.

6. The above-defined “common area” customers with demands of no more than 400 kW, in terms of Rider CPP’s Customer Supply Groups, are categorized within the

¹ These accounts previously were classified in ComEd’s rates as residential under a “grandfathering” provision that became effective July 18, 1984, and they continued to be so classified as residential through January 1, 2007. All other “common area” accounts in multiple-occupancy residential buildings with more than six residential dwelling units (the vast majority of such accounts, numbering over 6,000), already were classified as nonresidential prior to January 2, 2007. As part of the ComEd procurement case, an intervenor proposal to recategorize these “grandfathered” accounts as nonresidential for purposes of the Customer Supply Groups in Rider CPP was approved by the Commission. The specific implementation of that reclassification in ComEd’s General Terms and Conditions was proposed by ComEd and approved by the ICC in ComEd’s rate case, ICC Docket No. 05-0597. The reclassification improves the opportunities with respect to electric supply choice for these accounts. However, to date, there has not been significant switching of these accounts to Retail Electric Supplier (“RES”) supply, notwithstanding the fact that such a switch for a nonresidential account can be made with as little as seven calendar days notice.

Watt-Hour, Small Load, or Medium Load Customer Groups, as applicable.² Such customers, in terms of the rate mitigation mechanism in Rider CPP, also are categorized within multiple sub-groups, as applicable.

7. Such “common area” customers, on average, are likely to experience average annual bill increases from 2006 to 2007 of about 70%, a value that exceeds the average annual bill increases from 2006 to 2007 for the residential customer class of about 24%.

8. Accordingly, in the interests of gradualism and rate stability, and to assist such customers with the transition to new rates, ComEd, as indicated above, has developed a transition plan involving a combination of reduced rates and bill credits providing for a more gradual transition to the new rates.

9. ComEd proposes a revision of Rider CPP to include such customers in the Residential Electric Space Heating Customer Subgroup for purposes of the rate increase mitigation mechanism. As a practical matter, that revision to Rider CPP along with the corresponding revisions to Rider PPO-MVM and Rate BES-NRB will reduce such customers’ rates, given the existing rates and the underlying data.

10. In addition, in terms of bill credits, the proposed new rider, Rider CABA, if approved, will provide such “common area” customers with billing adjustments no later than the August 2007 monthly billing period. The billing adjustment will be a one-time credit that is calculated individually for each customer to which this rider is applicable and will appear on the next monthly billing period after such calculation. For each such customer, ComEd will determine an historical revenue (2006 Revenue) and an expected revenue (2007 Revenue) in

² The above assumes that such customers have demand metering, where applicable, and are not self-generating customers, as set forth in more detail in Rider CPP, 1st Revised Sheet No. 251.

accordance with the provisions of the Determination of the Annual Percent Increase section of the rider. The credit is determined based on the formula: 2007 Revenue – (2006 Revenue x 1.24).

11. As noted earlier, the bill credits and the reduced rates are designed together in a manner to reduce such customers' average annual bill increases for 2007 to the average annual bill increases for 2007 of residential customers as a whole of about 24%. As noted earlier, thereafter, these "common area" customers' rates gradually will rise over a period of years to the same level as other "common area" customers in a manner consistent with the mitigation plan approved by the Commission in the procurement case.

"Common Area" Customers With Demands Over 400 kW

12. The second part of this Petition involves "common area" accounts of electric space heated apartment and condominium buildings with more than six residential dwelling units that have applicable electrical demands (as defined in Rider CPP and ComEd's General Terms and Conditions) of over 400 kW and that were eligible to take service under a residential rate in effect on January 1, 2007.

13. In the interests of gradualism and rate stability, Rider CABA, if approved, will provide such "common area" customers with a bill credit, such that their average annual estimated bill increase from 2006 to 2007 will be reduced to about 24%. As discussed above, this bill credit will be calculated individually for each customer to which Rider CABA is applicable and will be applied to the customer's bill no later than the August 2007 monthly billing period.

Need for Special Permission

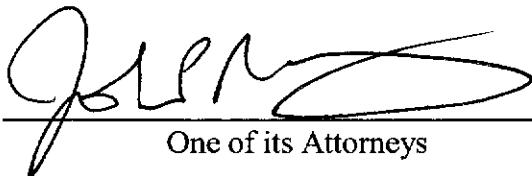
14. In general, the customers in question experienced a large part of their bill impacts in the winter months after the new rates became effective in January 2007. Accordingly, ComEd desires to provide this relief as soon as practically possible.

WHEREFORE, Commonwealth Edison Company respectfully requests that the Commission enter an Order, on or before May 16, 2007, granting this Petition and allowing Original Sheet Nos. 616 and 617, 1st Revised Sheet No. 294.29, 2nd Revised Sheet No. 296, 2nd Revised Sheet Nos. 312 and 313, as attached hereto, to become effective no later than May 31, 2007, on less than 45 days' notice.

Dated: April 27, 2007

Respectfully submitted,

Commonwealth Edison Company

By: 
One of its Attorneys

Darryl Bradford
Senior Vice President & General Counsel
COMMONWEALTH EDISON COMPANY
440 S. LaSalle Street, Suite 3300
Chicago, IL 60605
312-394-7541
darryl.bradford@exeloncorp.com

John P. Ratnaswamy
FOLEY & LARDNER LLP
321 N. Clark Street, Suite 2800
Chicago, Illinois 60610
(312) 832-4500
jratnaswamy@foley.com

Anastasia M. Polek-O'Brien
Eugene H. Bernstein
10 South Dearborn Street; Suite 4900
Chicago, IL 60603
anastasia.obrien@exeloncorp.com
eugene.bernstein@exeloncorp.com

VERIFICATION

I, Paul R. Crumrine, being first duly sworn on oath, depose and say that I am the Director, Regulatory Strategies & Services, of Commonwealth Edison Company, the Petitioner herein, that I have read the foregoing Petition for Special Permission, that I am familiar with the contents thereof, and that the facts stated therein same are true and correct to the best of my knowledge and belief.

Paul R. Crumrine
Paul R. Crumrine

SUBSCRIBED AND SWORN TO before
me this 27th day of April, 2007

Susan Kuta
Notary Public

